

In the Claims

Please amend the following claim as indicated below.

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1. (Amended) A method of screening a caller prior to establishing a telephone connection between the caller and a callee, the method comprising:
receiving a telephone call from the caller;
prompting the caller to speak the name of the callee;
receiving the name of the callee when spoken by the caller, wherein the callee is a person;
and
identifying the caller by analyzing the voice of the caller received when the caller speaks the name of the callee.

REMARKS

In the Office Action, claims 1-2, 5-8 and 10 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,021,181 (Miner). Claims 3-4 and 10 were rejected under 35 U.S.C. § 103(a) as being obvious over Miner. In addition, Claims 1-8, 10 and 27 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent 6,385,303 (Peterson) in view of Miner. Claims 13-16 were rejected under 35 U.S.C. § 103(a) as being obvious over the combination of Peterson and Miner in view of U.S. Patent 5,479,489 (O'Brien). Claims 13-16 were also rejected under 35 U.S.C. § 103(a) as being obvious over Miner in view of O'Brien.

By this amendment, Applicants have herein amended independent claim 1. Thus, claims 1-8, 10, 13-16 and 27 are pending. For the reasons set forth hereinbelow, Applicants respectfully request that the rejections associated with the pending claims (i.e., claims 1-8, 10, 13-16 and 27) be withdrawn.

§ 102(e) Rejections

Applicants have herein amended independent claim 1 to clarify that the callee is a person. Applicants submit that amended claim 1 is not anticipated by Miner because Miner fails to disclose each and every element of amended claim 1. *See* MPEP § 2131 (stating that a claim is anticipated only if each and every element as set forth in the claim is disclosed in a single prior art reference). More particularly, Applicants submit that Miner fails to disclose, among other things, “receiving the name of the callee when spoken by the caller, wherein the callee is a person” as recited in claim 1.

In contrast to amended claim 1, Applicants submit that Miner, referring to column 11, lines 35-65 and Figure 4A thereof, merely discloses the caller uttering a special word (“Wildfire”) - **not the name of a person** - that is used by the system to verify that the caller is a subscriber before granting the caller control of the electronic assistant.

Thus, Applicants submit that amended claim 1 is not anticipated by Miner because Miner fails to disclose each and every element of amended claim 1. For similar reasons, Applicant also submit that claims 2, 5-8 and 10, which depend from amended claim 1, are not anticipated by Miner. Accordingly, Applicants respectfully request that the § 102 rejections associated with these claims be withdrawn.

§ 103(a) Rejections

As stated herein above, Applicants have herein amended independent claim 1 to clarify that the callee is a person. Applicants submit that amended claim 1 is nonobvious over Peterson in view of Miner because the cited references, either alone or in combination, fail to teach or suggest each and every element of amended claim 1. *See* MPEP § 2143 (stating that one of the elements of a *prima facie* case of obviousness under § 103(a) is that the cited references must teach or suggest every limitation of

the claimed invention).

Applicants agree with the Examiner's determination that Peterson does not teach the limitation of "identifying the caller by analyzing the voice of the caller received when the caller speaks the name of the callee." However, for reasons similar to those set forth hereinabove, Applicants submit that Miner also fails to teach or suggest "identifying the caller by analyzing the voice of the caller received when the caller speaks the name of the callee" as recited in amended claim 1 because Miner merely discloses the caller uttering a special word ("Wildfire") - **not the name of a person** as set forth in amended claim 1.

Thus, Applicants submit that amended claim 1 is nonobvious over the combination of Peterson and Miner because the cited references, either alone or in combination, fail to teach or suggest each and every element of amended claim 1. Applicants further submit that claims 2-8, 10, 13-16 and 27, which depend from amended claim 1, are also nonobvious over the references of record. *See* MPEP §2143.03 (stating that if an independent claim is nonobvious under §103(a), then any claim depending therefrom is nonobvious). Accordingly, Applicants respectfully request that the §103 rejections associated with claims 1-8, 10, 13-16 and 27 be withdrawn.

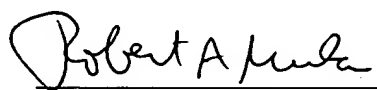
Marked-Up Version of Changes Made to Claims

Attached hereto is a marked-up version of the changes made to the claims by this amendment. The first page of the marked-up version is captioned **"VERSION WITH MARKINGS TO SHOW CHANGES MADE."**

CONCLUSION

Applicants respectfully request a Notice Of Allowance for the pending claims in the present application. If the Examiner is of the opinion that the present application is in condition for disposition other than allowance, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below in order that the Examiner's concerns may be expeditiously addressed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert A. Muha", written over a horizontal line.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims

The following claim has been amended as indicated below.

1. (Amended) A method of screening a caller prior to establishing a telephone connection between the caller and a callee, the method comprising:
 - receiving a telephone call from the caller;
 - prompting the caller to speak the name of the callee;
 - receiving the name of the callee when spoken by the caller, wherein the callee is a person;and
 - identifying the caller by analyzing the voice of the caller received when the caller speaks the name of the callee.